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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**NOTICE OF HEARING RE  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
BUNDY CANYON (\$7.5 MILLION)  
LOAN**

Date of Hearing: August 30, 2011

Time of Hearing: 10:30 a.m.

Estimated Time For Hearing: 10 minutes

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW IN PART  
AND ALLOW IN PART YOUR CLAIM TO THE EXTENT YOUR CLAIM IS  
BASED UPON AN INVESTMENT IN THE BUNDY CANYON (\$7.5 MILLION)  
LOAN. THE TRUST REQUESTS AN ORDER DISALLOWING 80% OF THE  
CLAIM AND ALLOWING THE REMAINING 20% OF THE CLAIM.**

**THIS OBJECTION WILL NOT IMPACT YOUR CLAIM TO THE  
EXTENT IT IS BASED UPON AN INVESTMENT IN A DIFFERENT LOAN.**

**PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS**

**REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP CONSULTING, LLC (602-424-7009) OR TO UNDERSIGNED COUNSEL, JOHN HINDERAKER (520-629-4430).**

**NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and through its counsel, has filed its Omnibus Objections to Proofs of Claim Based in Whole or in Part Upon Investment in the Bundy Canyon (\$7.5 Million) Loan (with Certificate of Service) (the “Objection”). Your Proof of Claim number and other information regarding your claim is provided in **Exhibit A**, attached to the Objection. The USACM Liquidating Trust has requested that this Court enter an order, pursuant to section 502 of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), disallowing 80% of the claim and allowing the remaining 20% of the Proof of Claim to the extent it is based upon an investment in the Bundy Canyon (\$7.5 Million) Loan. The Objection will not impact your Claim to the extent it is based upon an investment in a different loan.

**NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on **August 30, 2011, at the hour of 10:30 a.m.**

**NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON AUGUST 30, 2011 WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE HEARD ON THAT DATE.**

**NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any response to the objection must be filed and service must be completed no later than

1 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant  
2 facts and any relevant legal authority.

3 If you object to the relief requested, you *must* file a **WRITTEN** response to this  
4 pleading with the Court. You *must* also serve your written response on the person who  
5 sent you this notice.

6 If you do not file a written response with the Court, or if you do not serve your  
7 written response on the person who sent you this notice, then:

- 8 • The Court may *refuse to allow you to speak* at the scheduled hearing; and  
9 • The Court may *rule against you* and sustain the objection without formally  
10 calling the matter at the hearing.

11 Dated: July 26, 2011.

12 LEWIS AND ROCA LLP

13 By s/John Hinderaker (AZ 18024)  
14 Robert M. Charles, Jr., NV 6593  
15 John Hinderaker, AZ 18024 (*pro hac vice*)  
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Las Vegas, Nevada 89169  
E-mail: JHinderaker@lrlaw.com  
*Attorneys for the USACM Liquidating Trust*

16 Copy of the foregoing mailed by first  
17 class postage prepaid U.S. Mail on  
18 July 26, 2011 to all parties listed on  
19 Exhibit A attached to the objection.

20 LEWIS AND ROCA LLP

21 s/ Matt Burns  
22 Matt Burns  
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